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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JAN 17 2013

**COMMISSIONERS**

BOB STUMP, CHAIRMAN

GARY PIERCE

BRENDA BURNS

BOB BURNS

SUSAN BITTER SMITH

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AZ CORP COMMISSION  
DOCKET CONTROL

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*TSN*

IN THE MATTER OF THE APPLICATION ) DOCKET NO. T-20853A-12-0316  
OF BLUE JAY WIRELESS, LLC )  
FOR DESIGNATION AS A WIRELESS )  
ELIGIBLE TELECOMMUNICATIONS )  
CARRIER IN THE STATE OF ARIZONA. )

**STIPULATION BETWEEN ALECA AND BLUE JAY WIRELESS, LLC**

Blue Jay Wireless, LLC ("Blue Jay") and the Arizona Local Exchange Carriers Association ("ALECA") submit the following stipulation concerning Blue Jay's Application in this docket:

1. ALECA has intervened in this docket to address potential concerns about the Application.
2. To address ALECA's potential concerns, Blue Jay agrees that it will not provide Lifeline service to eligible residents residing on the lands of a Federally Recognized Tribe in Arizona until Blue Jay has obtained any and all necessary licenses or other forms of approval that may be required by a Tribe. Before providing such service on tribal lands, Blue Jay will file a copy of the tribal license or other form of approval with the Arizona Corporation Commission in Docket No. T-02853A-12-0316, with a copy to ALECA's undersigned counsel.
3. To ensure that Blue Jay does not inadvertently provide service to residents of the lands of a Federally Recognized Tribe for which Blue Jay has not obtained all necessary licenses or other forms of approval, Blue Jay further agrees that its Lifeline enrollment application for Arizona will:
  - (a) Require an applicant to provide a street address; and

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(b) Include a provision that requires an applicant under penalty of perjury (i) to self-certify that he or she does not reside on Federally Recognized Tribe Lands in Arizona, or (ii) to identify the Federally Recognized Tribe on the lands of which he or she resides.

4. Given this stipulation, ALECA does not oppose Blue Jay's Application in this docket and does not believe that a hearing is necessary to address ALECA's concerns.

RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of January 2013.

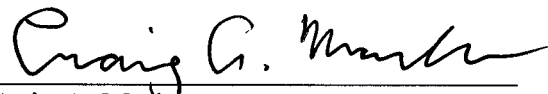
ROSHKA DEWULF & PATTEN, PLC

By 

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Attorney for Blue Jay Wireless, LLC

CRAIG A. MARKS PLC.

By 

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Attorney for Arizona Local Exchange Carriers Association

1 Original and 13 copies of the foregoing  
2 filed this 17th day of January 2013 with:

3 Docket Control  
4 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

5 Copy of the foregoing hand-delivered/mailed  
6 this 17th day of January 2013 to:

7 Teena Jibilian, Esq.  
8 Administrative Law Judge  
Hearing Division  
9 Arizona Corporation Commission  
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18 By Mary Lippolits  
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